

Practitioner's Docket No. U 014295-9

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Yuhpyng L. CHEN

Application No.: 09/580,287

Group No.: 1614

Filed: May 30, 2000

Examiner: Dwayne C. Jones

For: CORTICOTROPIN RELEASING FACTOR ANTAGONISTS

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

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TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
BEFORE MAILING DATE OF EITHER A FINAL ACTION  
OR NOTICE OF ALLOWANCE (37 C.F.R. 1.97(c))

NOTE: 37 C.F.R. 1.97: "(c) An information disclosure statement shall be considered by the Office if filed after the period specified in paragraph (b) of this section, provided that the information disclosure statement is filed before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and it is accompanied by one of:

- (1) The statement specified in paragraph (e) of this section; or
- (2) The fee set forth in § 1.17(p)."

NOTE: "If a final action or notice of allowance is mailed in an application and later withdrawn, the application will be considered as not having had a final action or notice of allowance mailed for purposes of considering an information disclosure statement." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10\*

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Clifford J. Mass

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

**NOTE:** 37 C.F.R. § 1.704(d): "A paper containing only an information disclosure statement in compliance with §§ 1.97 and 1.98 will not be considered a failure to engage in reasonable efforts to conclude prosecution (processing or examination) of the application under paragraphs (c)(6), (c)(8), (c)(9), or (c)(10) of this section if it is accompanied by a statement that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the information disclosure statement. This thirty-day period is not extendable."

**NOTE:** "If information submitted during the period set forth in 37 C.F.R. 1.97(c) with a certification is used in a new ground of rejection on unamended claims, the next Office action will not be made final since in this situation it is clear that applicant has submitted the information to the office promptly after it has become known and the information is being submitted prior to a final determination on patentability by the Office. However, the information submitted with a certification can be used in a new ground of rejection and the next Office action made final, [i]f the new ground of rejection was necessitated by amendment of the application by applicant. Where the information is submitted during this period with a fee, the examiner may use the information submitted, e.g., printed publication or evidence of public use, and make the next Office action final whether or not the claims have been amended, provided that no other new ground of rejection which was not necessitated by amendment to the claims is introduced by the examiner. See MPEP 706.07(a). If a new ground of rejection is introduced that is neither necessitated by an amendment to the claims nor based on the information submitted with the fee set forth in 37 C.F.R. 1.17(p), the Office action shall not be made final. Notice of April 20, 1992 (1138 O.G. 37-41, 39).

**WARNING:** "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63). But see § 103(b) and (c), limited suspension of action in a continued prosecution application (CPA) filed under § 1.53(d) and in a request for continued examination (RCE) under § 1.114.

**WARNING:** No extension of time can be had under 37 C.F.R. 1.136(a) or (b) for filing an IDS. 37 C.F.R. 1.97(f).

#### **TIME OF TRANSMITTAL OF ACCOMPANYING INFORMATION DISCLOSURE STATEMENT**

1. The information disclosure statement transmitted herewith is being filed **after** three months of the filing date of this national application or the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but **before** the mailing date of either:

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#### **STATEMENT OR FEE**

2. Accompanying this transmittal is  
(check either A or B below)

A. ☐ a statement as specified in 37 C.F.R. 1.97(e).

**OR**

B. ☒ the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement under § 1.97(c). (\$180.00).

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- ☐ Attached is a check in the amount of \$\_\_\_\_\_.
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SIGNATURE OF PRACTITIONER

Clifford J. Mass

*(type or print name of practitioner)*

P.O. Address

c/o Ladas & Parry  
26 West 61<sup>st</sup> Street  
New York, N.Y. 10023



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Yuhpyng L. CHEN

Serial No.: 09/580,287

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Attorney Docket No.: U 014295-9

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INFORMATION DISCLOSURE STATEMENT

Applicant calls the Examiner's attention to the references listed on the attached Form

PTO-1449. Copies of the references are also attached.

12/10/2003 EAREGAY1 00000041 120425 09580287

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**CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10\***

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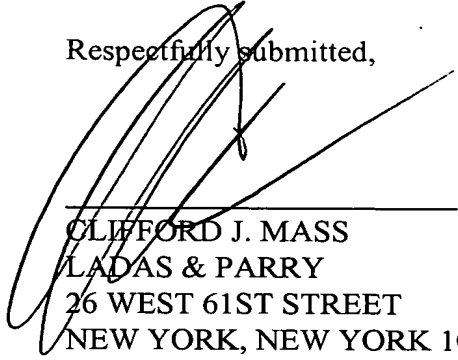
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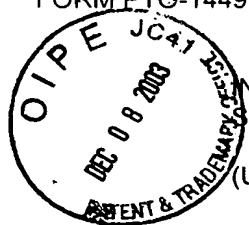
"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read 'Clifford J. Mass', is written over a horizontal line.

CLIFFORD J. MASS  
LADAS & PARRY  
26 WEST 61ST STREET  
NEW YORK, NEW YORK 10023  
REG. NO.30,086(212)708-1890

FORM PTO-1449

U. S DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEINFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(Use several sheets if necessary)

ATTY. DOCKET NO.

SERIAL NO.

U 014295-9

09/580,287

APPLICANT

Yuhpyng L. CHEN

FILING DATE

GROUP

May 30, 2000

1614

## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

| EXAMINE<br>R INITIAL |    | DOCUMENT<br>NUMBER | DATE | NAME | FILING DATE IF<br>APPROPRIATE |
|----------------------|----|--------------------|------|------|-------------------------------|
|                      | AA |                    |      |      |                               |
|                      | AB |                    |      |      |                               |
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|  |    | DOCUMENT<br>NUMBER | DATE | COUNTRY | TRANSLATION |    |
|--|----|--------------------|------|---------|-------------|----|
|  |    |                    |      |         | YES         | NO |
|  | AL |                    |      |         |             |    |
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|  | AN |                    |      |         |             |    |
|  | AO |                    |      |         |             |    |
|  | AP |                    |      |         |             |    |

## OTHER ART (Including Author, Title, Date, Pertinent Dates, Etc.)

|    |   |
|----|---|
| AR | Delta Sleep-Inducing Peptide Response to Human Corticotropin-Releasing Hormone (CRH) in Major Depressive Disordr, 1998 Soc. Biol. Psychiatry - Lesch, Widerlov, Ekman, Laux, Schulte, Pf Fuller, Beckman    |
| AS | Sleep, the hypothalamic-pituitary-adrenal axis, and cytokines: multiple interactions and disturbances in sleep disorders, Endocrinology and Metabolism Clinics of N.A. 31 (2002) 15-36 - Vgontzas, Chrousos |
| AT | Antidepressant-like effects of CP-154,526, a selective CRF <sub>1</sub> receptor antagonist, European Journal of Pharmacology 323 (1997) 21-26, Mansback, Brooks, Chen                                      |

EXAMINER

DATE CONSIDERED

EXAMINER:

Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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09/580,287

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

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|    |  |
|----|--|
| AR | CP-154,526: A potent & selective nonpeptide antagonist of corticotropin releasing factor receptors, Proc. Natl Acad Sci. Vol. 93, pp 10477-10482, Sept 1996 Pharmacology - Shultz, Mansbach, Sprouse, Braselton, Collins, Corman, Dunaiskis, Faraci, Schmidt, Seeger, Seymour, Tingley, Winston, |
| AS | Chen, Heym<br>Corticotropin-releasing hormone microinfusion in central amygdala diminishes a cardiac parasympathetic outflow under stress-free conditions, Brain Research 625(1993)219-227pp27-35- Bohus, Koolhaas   |
| AT | Interactions between Testicular Serotonergic, Catecholaminergic, and Corticotropin-Releasing Hormone Systems Modulating cAMP and Testosterone Production in the Golden Hamster, Neuroendocrinology 2002;76:35-46- Frungieri, Zitta, Pignataro, Gonzalez-Calvar, Calandra                         |

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Sheet 3 of 4



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|  |    |  |
|--|----|--|
|  | AR | The Role of the CRH Type 1 Rcptr in Autonomic Responses to Corticotropin-Releasing Hormone in the Rat, Neuropsychopharmacology 2000-vol.22, no.4-<br>Nijsen, Croiset, Stam, Bruijnzeel, Diamant, Wied, Wiegant   |
|  | AS | Dble-blind, randomized trl for the cntl of delayed emesis in pnts receiving cisplatin: Comparison of placebo vs. adrenocorticotrophic hormone (ACTH), Anls of Oncology 3:481-485 1992- Passalacqua, Cocconi, Bella, Monici, Michiara, Bandini, Bacchi  |
|  | AT | Dble-Blnd, Multicenter, Randomized Trial to Cmpre the Effect of 2 Dses of Adrenocorticotrophic Hormone Vs Placebo in Controlling Delayed Emesis After High-Dose Cisplatin in Adult Patients with Cancer, Journal of Clinical Oncology, Vol 15, No 6(June) 1997 pp 2467-2473 - Passalacqua, Cocconi, Caminiti, Silingordi, Bella, Bichisao, Michiara, Malavasi, Donati, Di Costanzo, Rocca, Sarra, Scaglione, Fraschini |

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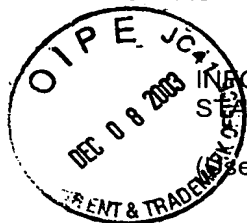
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|  | AO |                 |      |         |             |    |
|  | AP |                 |      |         |             |    |

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|  |    |  |
|--|----|--|
|  | AR | Hormonal Responses of Metoclopramide- Treated Subjects experiencing Nausea or emesis During Parabolic Flight, Aviation, Space and Environmental Medicine, September 1987- Kohl |
|  | AS |  |
|  | AT |  |

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